

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION**

SEMBRA BICE,
Petitioner,

v.

ATTORNEY GENERAL OF THE
STATE OF ALABAMA,

Respondent.

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1:09-cv-01249-KOB-JEO

MEMORANDUM OF OPINION

The court has considered the entire file in this action together with the Magistrate Judge's Report and Recommendation (doc. 4) and has reached an independent conclusion that the Magistrate Judge's Report and Recommendation is due to be adopted and approved. The court hereby adopts and approves the findings and recommendation of the magistrate judge as the findings and conclusions of the court. In accord with the recommendation, this petition for writ of habeas corpus is due to be dismissed without prejudice, to permit the petitioner an opportunity to exhaust her available state remedies. An appropriate order will be entered.

DONE, this the 19th day of October, 2009.

Karon O. Bowdre
KARON OWEN BOWDRE
UNITED STATES DISTRICT JUDGE